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| Adopted | Rejected |
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COMMITTEE REPORT

YES: 7

NO: 0

MR. SPEAKER:

Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1699, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 9, line 2, delete "(a)," and insert "(a) **concerning a child**,".
- 2 Page 9, line 4, strike "the record" and insert "**all records concerning**
- 3 **the child that are held by the entity**".
- 4 Page 13, line 38, strike "(c)," and insert "**(d)**".
- 5 Page 14, between lines 24 and 25, begin a new paragraph and insert:
- 6 "**(c) The court is not required to order a probation officer or**
- 7 **caseworker to conduct a criminal history check under subsection**
- 8 **(b) if the court orders an out-of-home placement to an entity or a**
- 9 **facility that is not a residence (as defined in IC 3-5-2-42.5) or that**
- 10 **is licensed by the state**".
- 11 Page 14, line 25, strike "(c)" and insert "**(d)**".
- 12 Page 15, line 15, strike "(d)" and insert "**(e)**".
- 13 Page 15, line 15, strike "(c)," and insert "**(d)**".
- 14 Page 15, between lines 22 and 23, begin a new paragraph and insert:
- 15 "SECTION 15. IC 31-34-21-5 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) The court shall

1 determine:

- 2 (1) whether the child's case plan, services, and placement meet the
- 3 special needs and best interests of the child;
- 4 (2) whether the county office of family and children has made
- 5 reasonable efforts to provide family services; and
- 6 (3) a projected date for the child's return home, the child's
- 7 adoption placement, the child's emancipation, or the appointment
- 8 of a legal guardian for the child under section ~~7.5(1)(E)~~
- 9 **7.5(d)(1)(E)** of this chapter.

10 (b) The determination of the court under subsection (a) must be
11 based on findings written after consideration of the following:

- 12 (1) Whether the county office of family and children, the child, or
- 13 the child's parent, guardian, or custodian has complied with the
- 14 child's case plan.
- 15 (2) Written documentation containing descriptions of:
 - 16 (A) the family services that have been offered or provided to
 - 17 the child or the child's parent, guardian, or custodian;
 - 18 (B) the dates during which the family services were offered or
 - 19 provided; and
 - 20 (C) the outcome arising from offering or providing the family
 - 21 services.
- 22 (3) The extent of the efforts made by the county office of family
- 23 and children to offer and provide family services.
- 24 (4) The extent to which the parent, guardian, or custodian has
- 25 enhanced the ability to fulfill parental obligations.
- 26 (5) The extent to which the parent, guardian, or custodian has
- 27 visited the child, including the reasons for infrequent visitation.
- 28 (6) The extent to which the parent, guardian, or custodian has
- 29 cooperated with the county office of family and children or
- 30 probation department.
- 31 (7) The child's recovery from any injuries suffered before
- 32 removal.
- 33 (8) Whether any additional services are required for the child or
- 34 the child's parent, guardian, or custodian and, if so, the nature of
- 35 those services.
- 36 (9) The extent to which the child has been rehabilitated.
- 37 (10) If the child is placed out-of-home, whether the child is in the
- 38 least restrictive, most family-like setting, and whether the child is

- 1 placed close to the home of the child's parent, guardian, or
 2 custodian.
- 3 (11) The extent to which the causes for the child's out-of-home
 4 placement or supervision have been alleviated.
- 5 (12) Whether current placement or supervision by the county
 6 office of family and children should be continued.
- 7 (13) The extent to which the child's parent, guardian, or custodian
 8 has participated or has been given the opportunity to participate
 9 in case planning, periodic case reviews, dispositional reviews,
 10 placement of the child, and visitation.
- 11 (14) Whether the county office of family and children has made
 12 reasonable efforts to reunify or preserve a child's family unless
 13 reasonable efforts are not required under section 5.6 of this
 14 chapter.
- 15 (15) Whether it is an appropriate time to prepare or implement a
 16 permanency plan for the child under section 7.5 of this chapter."
- 17 Page 15, line 25, strike "(d)," and insert "(e)".
- 18 Page 15, line 26, strike "(c)(1)(D)" and insert "(d)(1)(D)".
- 19 Page 15, line 26, strike "(c)(1)(E)" and insert "(d)(1)(E)".
- 20 Page 15, line 29, strike "(c)(1)(D)" and insert "(d)(1)(D)".
- 21 Page 15, line 29, strike "(c)(1)(E);" and insert "(d)(1)(E);".
- 22 Page 15, line 31, strike "(c)(1)(D)" and insert "(d)(1)(D)".
- 23 Page 15, line 31, strike "(c)(1)(E)" and insert "(d)(1)(E)".
- 24 Page 16, between lines 10 and 11, begin a new paragraph and insert:
- 25 **"(c) The court is not required to order a probation officer or**
 26 **caseworker to conduct a criminal history check under subsection**
 27 **(b) if the court orders an out-of-home placement to an entity or a**
 28 **facility that is not a residence (as defined in IC 3-5-2-42.5) or that**
 29 **is licensed by the state."**
- 30 Page 16, line 11, strike "(c)" and insert "(d)".
- 31 Page 17, line 9, strike "(d)" and insert "(e)".
- 32 Page 17, line 37, strike "(e)" and insert "(f)".
- 33 Page 17, line 37, strike "(d)," and insert "(e)".
- 34 Page 18, line 39, strike "(c)," and insert "(d)".
- 35 Page 19, between lines 27 and 28, begin a new paragraph and insert:
- 36 **"(c) The court is not required to order a probation officer or**
 37 **caseworker to conduct a criminal history check under subsection**
 38 **(b) if the court orders an out-of-home placement to an entity or a**

1 **facility that is not a residence (as defined in IC 3-5-2-42.5) or that**
2 **is licensed by the state."**

3 Page 19, line 28, strike "(c)" and insert "**(d)**".

4 Page 20, line 20, strike "(d)" and insert "**(e)**".

5 Page 20, line 20, strike "(c)," and insert "**(d),**".

6 Renumber all SECTIONS consecutively.

(Reference is to HB 1699 as introduced.)

and when so amended that said bill do pass.

Representative Budak